

In the Matter of)
)
Amendment of Section 2.106 of the) ET Docket No. 95-18
Commission's Rules to Allocate)
Spectrum at 2 GHz for Use)
by the Mobile-Satellite Service)

ORDER

Adopted: January 15, 1999

Released: January 19, 1999

By the Office of Engineering and Technology:

1. On January 12, 1999, the Association for Maximum Service Television (MSTV) filed a *Motion for Extension of Time* (hereafter MSTV Motion) to extend the time for filing reply comments to the *Memorandum Opinion and Order, Third Notice of Proposed Rule Making, and Order* in the above-captioned proceeding, ET Docket No. 95-18.¹ In particular, MSTV requests an extension of the deadline for comments from January 19, 1999, to February 19, 1999, and for reply comments from February 19, 1999 [sic] to March 22, 1999.² The petition is unopposed.

2. MSTV asserts that the complexity of the issues presented in the *Memorandum Opinion and Order, Third Notice of Proposed Rule Making, and Order* requires joint communications and consultation among broadcast industry entities. MSTV further assures us that the gathering of information on Broadcast Auxiliary Service (BAS) licensees and equipment is under way, but will take more time to complete. MSTV adds that such an extension would facilitate our decision making process by providing a coordinated industry position on the issues.³

3. Although the Commission does not routinely grant extensions of time,⁴ we agree with MSTV that the public interest would be served if we permit additional time for submitting comments and reply comments in this proceeding. An extension would provide additional time

¹ *Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile-Satellite Service*, ET Docket No. 95-18, *Memorandum Opinion and Order and Third Notice of Proposed Rule Making and Order*, FCC 98-309, released November 25, 1998.

² See MSTV Motion at 1.

³ See MSTV Motion at 2-3.

⁴ See 47 C.F.R. § 1.46(a).

for developing industry positions on the issues in this proceeding, and for gathering information which will be considered in arriving at our decisions in this proceeding. At the same time, however, we believe that it is extremely important to expedite the conclusion of this proceeding. The reallocations of spectrum to the Mobile-Satellite Service and BAS made or proposed in this proceeding are to take effect on January 1, 2000. In order to provide for the early deployment of new and innovative technologies, we wish to finalize our decisions on relocation of incumbents and other issues. Given this time pressure, we believe that an extension of fifteen days to the comment and reply comment periods is appropriate.

4. On balance, we find that the public interest would best be served by partially granting the MSTV petition and extending the time permitted for comments and reply comments by fifteen days. Accordingly, for good cause shown, IT IS ORDERED that the date for filing comments in this proceeding is extended to February 3, 1999; and the date for filing reply comments is extended to March 5, 1999.

5. This action is taken pursuant to authority found in Sections 4 (i), 302 and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154 (i), 302, 303; and pursuant to Sections 0.31 and 1.46 of the Commission's Rules, 47 C.F.R. §§ 0.31, 1.46. For further information contact Sean White, Office of Engineering and Technology, (202) 418-2453, swhite@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Dale N. Hatfield
Chief,
Office of Engineering and Technology